

REMARKS

This case has been carefully reviewed and analyzed in view of the Office Action dated 14 July 2004. Responsive to the Office Action, Claims 1-2 and 7 are amended for further prosecution with the other pending Claims. It is believed that with such amendment of Claims, there is a further clarification of their recitations.

In the Office Action, the Examiner rejected Claim 1 as being anticipated by the German Reference DE 3729651. The Examiner additionally rejected Claims 2 and 3 under 35 U.S.C. § 103(a) as being unpatentable over the German '651 reference in view of the Malm reference. In setting forth this rejection, the Examiner acknowledged that the German '651 reference fails to disclose slots as claimed, but cited the Malm reference for teaching the provision of slots to accommodate an oar. From this, the Examiner concluded that it would have been obvious to one of ordinary skill in the art to have provided such oar accommodating slots in the German '651 surf board.

The Examiner also rejected Claims 4-6 under 35 U.S.C. § 103(a) as being unpatentable over the German '651 reference in view of Malm, further in view of the Bearup, et al. reference. In setting forth this rejection, the Examiner cited Bearup, et al. for teaching oar and blade mounting details, and concluded that it would have been obvious to one of ordinary skill in the art to have incorporated such mounting details into the German '651 device.

As for Claim 7, the Examiner merely objected to the Claim for being dependent upon a rejected base claim. The Examiner indicated that the Claim would be allowable if rewritten in independent form to include all of the limitations of the base and any intervening claims. Accordingly, Claim 7 is now amended to independent form, incorporating therein the original subject matter of Claim 1, along with a correction for a minor incidentally-noted grammatic informality. It is believed, therefore, that Claim 7 is now in allowable form.

Claim 1 is also amended to recite a rowing surf board having among its features a “board having at least a pair of slots formed in an underside thereof.” With an oar extending in pivotally displaceable manner through the board, the oar’s blade portion is “retractable to a fully recessed position within one of the slots,” (as also now more clearly recited by newly-amended independent Claim 1) so as not to disturb the board’s underside profile.

As the Examiner readily acknowledged, the German ‘651 reference nowhere discloses the formation of any such slots. While the Malm reference discloses a combination sculling and surf board with arcuate grooves formed to accommodate certain portions of a scull-oar 26, it specifically provides for the oar’s blade 27 to protrude from underneath the scullboard 10 when the oar itself is stowed against such arcuate grooves, as illustrated in Fig. 2. That is, the reference specifies the scull-oar blade 27 to “also serve as rudder for the scullboard,” (column 3; lines 48-49) when not in use for paddling. This teaches quite actively

away from any "blade portion ... retractable to a fully recessed position within one of the slots" formed in a board's underside now more clearly recited by Claim 1.

Given such contrary teachings of the Malm reference, the teachings of the secondarily-cited Bearup, et al. reference are found to be quite ineffectual to the present patentability analysis. Bearup, et al. in any event teaches merely an outboard-type steering device, not any oar device actually passed through a board or other part of the given vessel.

It is respectfully submitted, therefore, that the cited German '651, Malm, and Bearup, et al. references, even when considered together, fail to disclose the unique combination of elements now more clearly recited by Applicant's pending Claims for the purposes and objectives disclosed in the subject Patent Application.

It is now believed that the subject Patent Application has been placed fully in condition for allowance, and such action is respectfully requested.

Respectfully submitted,
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